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JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
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NEW YORK NY 10168

In re Application of	:	
Huang et al.	:	
Application No.: 10/511,236	:	DECISION
PCT No.: PCT/JP03/04563	:	
Int. Filing Date: 10 April 2003	:	ON
Priority Date: 11 April 2002	:	
Attorney Docket No.: F-8417	:	PETITION
For: Conversation Control System And	:	
Conversation Control Method	:	

This is in response to the renewed petition under 37 CFR 1.47(a) filed on 14 September 2006.

DISCUSSION

In a decision mailed on 17 March 2006, the petition under 37 CFR 1.47(a) filed on 26 September 2005 was dismissed without prejudice because

Counsel alleges that a declaration, along with "the application documents (including specification, claims and drawings)" was "sent to Dong Li by certified mail on July 8, 2005 to Dong Li's last known address" but was undeliverable because Mr. Li "has moved from his last known address and did not leave a forwarding address." This account is corroborated by the accompanying "Declaration of Shin Nomura..." and supporting documentation. However, petitioner has not shown what diligent efforts if any were undertaken to locate Mr. Li after becoming aware that he had moved. For instance, did petitioner perform internet searches or telephone directory searches, or perform any other inquiries, to attempt to locate Mr. Li's current address? Since the instant petition does not establish that any efforts were undertaken to locate Mr. Li other than merely sending a single parcel to his last known address, it would not be appropriate to conclude that he "could not be found or reached after diligent effort" within the meaning of 37 CFR 1.47(a). Hence, it would be inappropriate to conclude that requirement (2) has been satisfied at this time.

The instant renewed petition requests reconsideration, stating that "petitioner has performed internet searches, telephone directory searches, and other inquiries." The attached "Declaration of Yasutaka Nire..." indicates that Mr. Nire was unsuccessful in locating Mr. Li using internet searches, and provides, in Appendix I, the search terms used on Google. He also states that, "on August 24, 2006, I conducted a local telephone directory search to find the whereabouts or contact information for Mr. Dong Li. The directory search was undertaken for Matsudo-shi, Chiba, Japan, which is the city of Mr. Dong Li's last known address. I was unable

to determine Mr. Dong Li's whereabouts by conducting the local telephone directory search." Petitioner has also furnished a "Declaration of Nobuo Yaegashi..." which states *inter alia* that

On August 23, 2006, I effected an oral inquiry in P to PA, Inc. to determine the whereabouts of Mr. Dong Li. I asked Mr. Shengyang Huong, Mr. Hiroshi Katakura, and Mr. Tao Wu, who are Mr. Dong Li's joint inventors in the above-identified application, as to the whereabouts of Mr. Dong Li. I also asked Mr. Shin Nomura, who is a director of P to PA, Inc. regarding the whereabouts of Mr. Dong Li. My inquiries did not result in the determination of the whereabouts of Mr. Dong Li.

Based on the totality of the evidence currently of record, it would now be appropriate to conclude that Mr. Li could not be found or reached after diligent effort, within the meaning of 37 CFR 1.47(a).

DECISION

The petition under 37 CFR 1.47(a) is **GRANTED**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

The application is being returned to the International Division for processing as the U.S. National Stage of the above-identified international application. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **26 September 2005**.


Richard Cole
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Mr. Dong Li
Daini-Corpo-Onda 205
47, Nishi-Mabashi-Kuramoto-cho
Matsudo-shi, Chiba-ken
JAPAN

In re Application of
Huang et al.
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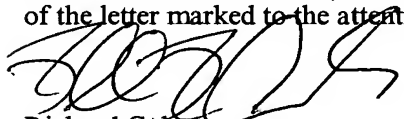
Dear Mr. Li:


You are named as a joint inventor in the above identified United States patent application, filed under the provisions of 35 U.S.C. 116 (United States Code), and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63.

Telephone inquiries regarding this communication should be directed to the undersigned at (571) 272-3283. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Requests for information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1(800) 972-6382 (outside the Washington D.C. area).

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, with the contents of the letter marked to the attention of the PCT Legal Office.


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OFFICIAL GAZETTE NOTICE

37 CFR 1.47 Notice by Publication

Notice is hereby given of the filing of an application with a petition under 37 CFR 1.47 requesting acceptance of the application without the signature of all inventors. The petition has been granted. A notice has been sent to the last known address of the non-signing inventor. The inventor whose signature is missing (Dong Li) may join in the application by promptly filing an appropriate oath or declaration complying with 37 CFR 1.63. The international application number is PCT/JP03/04563 and was filed on April 10, 2003 in the names of Shengyang Huang, Hiroshi Katakura, Tao Wu and Dong Li for the invention entitled CONVERSATION CONTROL SYSTEM AND CONVERSATION CONTROL METHOD. The national stage application number is 10/511,236 and has a 35 U.S.C. 371(c)(1), (2) and (4) date of September 26, 2005.